IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL SECOND APPEAL No. 133 of 2006

LR'S OF ROOPA
V/S
DAYALAL

Mr. SM PARIHAR, for the appellant / petitioner

Date of Order : 17.10.2006

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the appellant.

Learned Courts below have found that there is oath against oath on the version, as to whether the wall was constructed by the defendant anew, or was old one. Both the learned Courts below have believed the version of the plaintiff in preference to the version of the defendant. This is a pure finding of fact, and does not require any interference in second appeal. The appeal is, therefore, dismissed summarily.

(N P GUPTA),J.

/tarun/